

Message Text

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PAGE 01 STATE 234916

53

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TO AMEMBASSY VIENTIANE

INFO AMEMBASSY SAIGON

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E.O. 11652: N/A

TAGS: MOPS, LA

SUBJECT: CONGRESSIONAL DECLARATION ON POW/MIA'S

FOREIGN ASSISTANCE ACT REPORTED BY HOUSE/SENATE CONFERENCE

NOV. 27 CONTAINS FOLLOWING DECLARATION ON PRISONERS OF WAR

AND INDIVIDUALS MISSING IN ACTION: BEGIN TEXT:

SEC. 29. (A) THE CONGRESS DECLARES THAT--

(1) THE FAMILIES OF THOSE ONE THOUSAND THREE HUNDRED INDIVIDUALS MISSING IN ACTION DURING THE INDOCHINA CONFLICT HAVE SUFFERED EXTRAORDINARY TORMENT IN ASCERTAINING THE FULL AND COMPLETE INFORMATION ABOUT THEIR LOVED ONES WHO ARE FORMALLY CLASSIFIED AS MISSING IN ACTION;

(2) UNITED STATES INVOLVEMENT IN THE INDOCHINA CONFLICT HAS COME TO A NEGOTIATED END WITH THE SIGNING OF THE VIETNAM AGREEMENT IN PARIS ON JANUARY 27, 1973, AND SECTION 307 OF THE SECOND SUPPLEMENTAL APPROPRIATIONS ACT, 1973, REQUIRES THAT "NONE OF THE FUNDS HEREIN APPROPRI-

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PAGE 02 STATE 234916

ATED UNDER THIS ACT MAY BE EXPENDED TO SUPPORT DIRECTLY

OR INDIRECTLY COMBAT ACTIVITIES IN OR OVER CAMBODIA, LAOS, NORTH VIETNAM, AND SOUTH VIETNAM OR OFF THE SHORES OF CAMBODIA, LAOS, NORTH VIETNAM AND SOUTH VIETNAM BY UNITED STATES FORCES, AND AFTER AUGUST 16, 1973, NO OTHER FUNDS HERETOFORE APPROPRIATED UNDER ANY OTHER ACT MAY BE EXPENDED FOR SUCH PURPOSE.";

AND ACCOUNTING FOR INDIVIDUALS MISSING IN ACTION AND DEAD

IN LAOS IS COVERED BY ARTICLE 18 OF THE PROTOCOL SIGNED BY REPRESENTATIVES OF THE LAO PATRIOTIC FRONT (PATHET LAO) AND THE ROYAL LAOTIAN GOVERNMENT IN VIENTIANE ON SEPTEMBER 14, 1973 (WHICH IMPLEMENTS ARTICLE 5 OF THE AGREEMENT SIGNED BY THE PATHET LAO AND THAT GOVERNMENT IN VIENTIANE ON FEBRUARY 21, 1973, REQUIRING THE RELEASE OF ALL PRISONERS "REGARDLESS OF NATIONALITY" CAPTURED AND HELD IN LAOS), AND PARAGRAPH C OF SUCH ARTICLE 18 PROVIDES THAT, WITHIN "15 TO 30 DAYS" FROM THE DATE OF THE SIGNING OF THE PROTOCOL, EACH SIDE IS TO REPORT THE NUMBER OF THOSE PRISONERS AND INDIVIDUALS STILL HELD, WITH AN INDICATION OF THEIR NATIONALITY AND STATUS, TOGETHER WITH A LIST OF NAMES AND ANY WHO DIES IN CAPTIVITY; AND

(4) FEW OF THE UNITED STATES MEN LOST IN LAOS DURING THE MILITARY ENGAGEMENTS IN INDOCHINA HAVE BEEN RETURNED, AND WITH KNOWLEDGE ABOUT MANY OF THESE MEN HAS YET BEEN FULLY DISCLOSED, AND THE NORTH VIETNAM CEASEFIRE PROVISIONS CALLING FOR INSPECTION OF CRASH AND GRAVE SITES AND FOR OTHER FORMS OF COOPERATION HAVE NOT BEEN FULLY COMPLIED WITH.

(B) IT IS, THEREFORE, THE SENSE OF THE CONGRESS THAT--

(1) THE PROVISIONS FOR THE RELEASE OF PRISONERS AND AN ACCOUNTING OF INDIVIDUALS MISSING AND DEAD, AS PROVIDED FOR IN ARTICLE 18 OF THE PROTOCOL SIGNED ON SEPTEMBER 14, 1973, BY THE PATHET LAO AND THE ROYAL LAOTIAN GOVERNMENT, BE ADHERED TO IN SPIRIT AND IN DEED; AND

(2) THE FAITHFUL COMPLIANCE WITH THE SPIRIT OF THE
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UNCLASSIFIED

PAGE 03 STATE 234916

LAOTIAN AGREEMENT AND PROTOCOL ON THE QUESTION OF INDIVIDUALS MISSING IN ACTION WILL ENCOURAGE ALL PARTIES IN INDOCHINA TO COOPERATE IN PROVIDING COMPLETE INFORMATION ON ALL NATIONALS OF ANY NATION WHO MAY BE CAPTURED OR MISSING AT ANY PLACE IN INDOCHINA. END TEXT. KISSINGER

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